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In re Application of  
Munehide Kano et al  
Serial No.: 09/823,699  
Filed: March 30, 2001  
Attorney Docket No.: 50026/022002

## : PETITION DECISION


This is a response to the petition under 37 CFR 1.59(b), filed October 31, 2007, to expunge information from the above identified application.

Petitioner requests that the Proprietary Information Disclosure Statement, filed November 6, 2006, be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public.

The information provided has not been reviewed by the examiner and the petition cannot be granted at this time. As stated in M.P.E.P. 724, upon allowance or other action closing prosecution in an application petition may be made for return of Proprietary Information Disclosure Statements. It is noted also that the petition fails to make the required statements regarding retention of the proprietary material.

The petition is **DISMISSED**. Applicants may resubmit the petition subsequent to allowance or other action being mailed in the application which closes prosecution. No additional petition fee will be required at that time.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, at the above address, or by telephone at 571-272-0519 or by facsimile transmission at the Office facsimile number, 571-273-8300.

  
Christopher Low  
Acting Director, Technology Center 1600